

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of Stephen William Colley, et al.
Serial No. 09/806,180
Filed March 28, 2001
For PROCESS

June 5, 2001

**LETTER IN RESPONSE TO NOTIFICATION OF
MISSING REQUIREMENTS UNDER 35 U.S.C. 371**

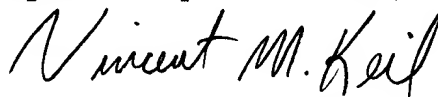
TO THE COMMISSIONER OF PATENTS AND TRADEMARKS,
Box PCT

SIR:

* In response to the "Notification of Missing Requirements
* Under 35 U.S.C. 371" dated April 20, 2001, enclosed is the
* applicants' executed Declaration and Power of Attorney in the
* above-referenced patent application. A copy of the Notice is
* returned herewith.

* Also enclosed is a check in the amount of \$130.00 in payment
of the surcharge under 37 CFR 1.492(e).

Respectfully submitted,



Vincent M. Keil, Reg. No. 36,838
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VMKskg
*Enclosures

Express Mail Label No. EL 739386045 US
Box PCT

09/806180

Application Number 09/806,180
Filing Date March 28, 2001
Confirmation No. TBA
First Named Inventor Stephen William Colley
Group Art Unit TBA
Examiner Name TBA
Attorney Docket Number KPT 1090

METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge the indicated fees to Deposit Account No. 19-1345.
- ☐ The Commissioner is hereby authorized to charge any additional fees required under 37 CFR 1.16 and 1.17 to Deposit Account No. 19-1345.
- ☐ Applicant claims small entity status.
2. ☒ Check Enclosed. The Commissioner is hereby authorized to charge any under payment or credit any over payment to Deposit Account No. 19-1345.

FEE CALCULATION

1. ☐ BASIC FILING FEE Subtotal (1) \$ _____
(Type: _____)
2. ☐ EXTRA CLAIM FEES Subtotal (2) \$ _____
Total Claims _____
Independent Claims _____
Multiple Dependent Claims _____
3. ☒ ADDITIONAL FEES Subtotal (3) \$ 130.00
- ☒ Surcharge - late filing fee or oath
☐ Surcharge - late provisional filing fee or cover sheet
☐ Extension for reply within _____ month
☐ Notice of Appeal
☐ Filing a Brief in Support of an appeal
☐ Request for ex parte Reexamination
☐ Petitions to the Commissioner
☐ Submission of Information Disclosure Statement
☐ Recording each patent assignment per property
☐ Request for Continued Examination

06/08/2001 HNGUYEN 00000094 09/806180:

01 FC:154

130.00 OP

TOTAL AMOUNT OF PAYMENT \$ 130.00

Vincent M. Keil, Reg. No. 36,838

Date

June 5, 2001

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Express Mail Label No. EL 739386045 US



UNITED STATES PATENT

TRADEMARK OFFICE

RECEIVED APR 24 2001

Commissioner for Patents, Box P1
United States Patent and Trademark Office
Washington, D.C. 202
www.uspto.gov

U.S. APPLICATION NO.

09/806180

FIRST NAMED APPLICANT

COLLEY

S

ATTY. DOCKET NO.

KPT 1090

INTERNATIONAL APPLICATION NO.

PCT/GB99/03226

I.A. FILING DATE

29 SEP 99

PRIORITY DATE

01 OCT 98

VINCENT M KEIL
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ST LOUIS, MO 63102

DATE MAILED 20 APR 2001

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495):
- ☒ U.S. Basic National Fee.
 - ☒ Copy of the international application.
 - ☒ Oath or Declaration of inventor(s).
 - ☒ Copy of Article 19 amendments.
 - ☒ Priority Document.
 - ☒ The International Preliminary Examination Report in English and its Annexes, if any.
 - ☐ Translation of Annexes to the International Preliminary Examination Report into English.
 - ☐ Indication of Small Entity Status.
 - ☐ Translation of the international application into English.
 - ☐ Translation of Article 19 amendments into English.
 - ☐ Other:
2. ☒ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.
- ☐ U.S. Basic National Fee.
 - ☐ Copy of the international application.
3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:
- ☐ a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 - ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
 - ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
 - ☐ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 - ☒ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
 - ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).
4. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.
5. ☐ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
7. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed: ☒ PCT/DO/EO/917☐ PTO-875☐ Notice of Defective Translation☐ PCT/DO/EO/920

Winston M Alvarado

FORM PCT/DO/EO/905 (March 2001)

Telephone: _____